

## UNITED STATES DISTRICT COURT

for the

Northern District of California

**FILED**

Nov 16 2020

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

United States of America

v.

FRANCISCO RICARDO MIRANDA, ET AL.

Case No.

3-20-71634 MAG

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of at least 3/29/2020 to the present in the county of San Mateo in the  
Northern District of California, the defendant(s) violated:*Code Section*

21 U.S.C. § 846

*Offense Description*conspiracy to distribute and possess with intent to distribute cocaine in  
violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(ii)

This criminal complaint is based on these facts:

See attached affidavit incorporated by reference

☒ Continued on the attached sheet.

/s/

*Thomas Colthrust**Complainant's signature*

Approved as to form \_\_\_\_\_

AUSA \_\_\_\_\_

**By telephone**Sworn to before me and signed in my ~~presence~~.Date: November 13, 2020City and state: San Francisco, CA

Kevin Li, a Special Agent with the DEA

*Printed name and title**Jacqueline Scott Corley**Judge's signature*

Hon. Jacqueline Scott Corley, US Magistrate Judge

*Printed name and title*

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**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR COMPLAINT**

I, Kevin Li, a Special Agent with the Drug Enforcement Administration (DEA), being duly sworn, state:

**INTRODUCTION**

1. I make this affidavit in support of an application under Rule 4 of the Federal Rules of Criminal Procedure for a criminal complaint and arrest warrant authorizing the arrest of the individuals listed in the following chart for violations of 21 U.S.C. § 846 (conspiracy to distribute and possess with intent to distribute cocaine in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(ii)). The following chart lists, for each Defendant, the paragraphs supporting the conclusion that each Defendant committed the charged offense:

<b>Defendant</b>	<b>Relevant Paragraphs</b>
Francisco Ricardo Miranda (hereafter referred to as "Miranda")	13-66
Jesus Alberto Rojas-Vega (hereafter referred to as "Rojas")	15-16, 18-25
Gelacio Perez-Rojas (hereafter referred to as "Perez")	15-16, 49, 51-54, 65-66
Uriel Soto (hereafter referred to as "Soto")	17, 55-66
Leonel Cisneros-Sosa (hereafter referred to as "Cisneros")	17, 55-66

### **SOURCES OF INFORMATION**

2. This affidavit is submitted for the limited purpose of a securing a criminal complaint and arrest warrants. I have not included every fact known to me concerning this investigation. Instead, I have set forth only the facts necessary to establish probable cause that violations of the federal law identified above have occurred. In addition, not every individual who could be charged based on the underlying facts is being charged in this complaint. Those persons who are not been charged at this point are identified by labels other than their true names.

3. I am familiar with the facts set forth in this Affidavit from my personal observations and inquiries, observations and investigations by other law enforcement officers and/or analysts as related to me in conversation and/or through written reports, and/or from records and/or documents and/or other evidence obtained as a result of this and related investigations. I have also obtained such information from records, documents, and other evidence obtained in this investigation. Unless otherwise indicated herein, I believe the information provided to me by others is reliable. In those instances, wherein I assert an opinion or belief with respect to the facts alleged herein, that opinion or belief is based upon my training and experience as set forth previously herein, along with my knowledge of this investigation and any other specific factors I offer in connection with a particular assertion.

### **AFFIANT BACKGROUND**

4. I am a Special Agent with the United States Department of Justice, Drug Enforcement Administration (“DEA”), and have been so employed since March 2016. I am currently assigned to the San Francisco Division at the San Jose Resident Office in California. I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in

Title 18, United States Code, Section 2516.

5. I have successfully completed a nineteen-week DEA Basic Agent Training Academy at the DEA Academy in Quantico, Virginia. This training included instruction on the investigation of federal drug violations, including, but not limited to Title 21, United States Code Sections 841 and 846. Additionally, this training included several hundred hours of comprehensive, formalized instruction in, but not limited to, narcotics investigations, drug identification, detection, interdiction, financial investigations and money laundering, identification and seizure of drug related assets, undercover operations, and electronic and physical surveillance procedures.

6. During the course of my employment, I have participated in several narcotics and financial investigations. I have debriefed defendants, confidential sources, and witnesses who had personal knowledge regarding narcotics trafficking organizations. In addition, I have discussed with numerous law enforcement officers, and confidential sources, the methods and practices used by narcotics traffickers. I also have participated in many aspects of drug and financial investigations including, but not limited to, undercover operations, telephone toll analysis, records research, and physical and electronic surveillance. Moreover, I have assisted on the execution of several federal and state search and arrest warrants that resulted in the arrest of suspects and seizure of narcotics and assets.

7. I have conducted and been involved in numerous narcotics, firearms, and financial investigations regarding the unlawful manufacture, possession, distribution, and transportation of controlled substances, as well as related money laundering statutes involving the proceeds of specified unlawful activities and conspiracies associated with criminal narcotics, in violation of Title 21, United States Code, Sections 841(a)(1), 841(c)(2), 843, and 846 and the

State of California Health and Safety Code. I have also participated in several investigations involving violations of Title 18, United State Code, Sections 924(c), the possession or use of firearms in furtherance of drug trafficking offenses. I am familiar with the methods in which drug traffickers resort to violence and firearms to facilitate drug trafficking and provide security for their operations.

8. I have participated in several Organized Crime Drug Enforcement Task Force (OCDETF) investigations. The OCDETF program is part of the United States Attorney General's strategy to reduce the availability of drugs by disrupting major trafficking organizations through joint collaborations across agencies. I have monitored, supervised, conducted surveillance, or otherwise participated in numerous investigations that utilized electronic and/or wire interceptions. I have participated in writing, editing, and reviewing federal affidavits made in support of wire and electronic interceptions. Also, I have become familiar with narcotics traffickers' methods of operation, including, but not limited to, the manufacturing, distribution, storage, and transportation of narcotics, and the methods used by drug traffickers to collect, transport, safeguard, remit, and/or launder drug proceeds.

9. I have been the affiant on at least six Federal wiretaps and have spent several hours listening to Spanish language calls and interpreting coded communications from Spanish language calls that have been translated into English. By virtue of my experience with these coded conversations, I have become familiar with terms in the Spanish language that Mexican drug traffickers often use to refer to narcotics products, packaging, and methods of concealment.

10. Through my training, education, experience, and my conversations with other agents and officers who conduct drug investigations, I have become familiar with narcotics traffickers' use of mobile telephones, and their use of numerical codes and code words to

conduct their business. Also, I have become familiar with narcotics traffickers' methods of operation, including, but not limited to, the manufacturing, distribution, storage, and transportation of narcotics, and the methods used by drug traffickers to collect, transport, safeguard, remit, and/or launder drug proceeds.

### **APPLICABLE STATUTES**

11. Pursuant to Title 21, United States Code, Section 841(a)(1), it is unlawful for any person knowingly and intentionally to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance.

12. Pursuant to Title 21, United States Code, Section 846, it is unlawful for any person to attempt or conspire to commit any offense defined in Title 21, including violations of Section 841(a)(1).

### **FACTS SUPPORTING PROBABLE CAUSE**

#### **Overview of Investigation**

13. The Drug Enforcement Administration (DEA), partnered with other agencies, has been investigating (among other things) a drug trafficking organization (DTO) in which Francisco Ricardo Miranda is the central figure (the MIRANDA DTO). Agents have used several means to investigate the DTO's activities, including court-authorized federal wiretaps and physical and electronic surveillance.

14. Based on intelligence generated during the course of the wiretaps, agents were able to make multiple seizures of cocaine and methamphetamine, which are summarized in the following chart:

<u>DATE</u>	<u>DRUGS SEIZED</u>	<u>CIRCUMSTANCES</u>	<u>PARAGRAPHS DESCRIBING SEIZURE</u>
4/1/2020	291 grams of cocaine	Soto arranged to return cocaine to Miranda that Miranda would provide to Cisneros. DEA seized the cocaine from hiding place.	Seizure described in ¶ 61. Relevant intercepted communications and surveillance described in ¶¶ 59-62.
4/9/2020	4,985 grams of cocaine	Miranda arranged to have Rojas pick up a shipment of approximately 5 kilograms of cocaine, which was discussed in several intercepted communications. The 5-kilogram shipment was seized by officers from the California Highway Patrol.	Seizure described in ¶¶ 23-24. Relevant intercepted communications and surveillance described in ¶¶ 18-25.
6/14/2020	997 grams of cocaine	Miranda arranged shipment of 12 kilograms of cocaine, which was discussed in several intercepted communications. A portion of the shipment of cocaine was seized by Hayward police officers. Intercepted calls showed that Perez was attempting to sell part of the cocaine shipment	Seizure described in ¶¶ 47-47. Relevant intercepted communications and surveillance described in ¶¶ 26- 50.

### **Cocaine Trafficking Conspiracy by Members of the Miranda DTO in Northern California**

15. With the assistance of a court-ordered wiretap, the investigators in this case began to develop information about the Miranda DTO in December 2019 through intercepted calls between a drug distributor who will be referred to as Customer-1 and Francisco Miranda suggesting that Miranda was a source of supply for the Customer-1 and his DTO. From January

2020 through June 2020, the DEA obtained three additional court orders authorizing three wiretap periods targeting various members of the Miranda DTO including: Miranda and Miranda's associates Jesus Alberto Rojas-Vega (Rojas) and Gelacio Perez-Rojas (Perez).

16. The investigation has shown that Miranda and his associates Rojas and Perez are operating a wholesale cocaine trafficking and distribution operation in Northern California that traffics kilogram quantities of cocaine from Southern California into Northern California to be resold to lower level distributors such as Customer-1 and members of the Customer-1 DTO.

17. During the wiretap, agents also learned of various other customers and distributors such as Uriel Soto and Leonel Cisneros-Sosa. Agents also learned that Miranda himself was operating his DTO at the direction of a cocaine supplier apparently based in Mexico.

#### **Seizure of 4,985 Grams of Cocaine on April 9, 2020**

18. Agents believe that a Mexico-based supplier directed shipments of cocaine to Miranda through domestic cocaine suppliers in Southern California. During the course of the wiretap, the DEA confirmed that Miranda periodically received shipments of wholesale quantities of cocaine from Southern California-based suppliers. One such shipment that the DEA learned about occurred in early April 2020.

19. On or about April 7, 2020, law enforcement officers conducting surveillance of Miranda and Rojas, observed that Miranda and Rojas had both traveled southbound towards Southern California together apparently to conduct a meeting. That day, officers followed Miranda and Rojas to a shopping center near Garden Grove, California, and observed Miranda leave Rojas behind in the shopping center for approximately an hour. Later on, agents saw Miranda return to the shopping center, after being dropped off by an individual later determined



to be a cocaine supplier (hereafter referred to as “Supplier-1”). Miranda and Rojas returned to Northern California after the meeting.

20. This meeting was subsequently discussed during an April 8, 2020, telephone call between Miranda and his father using a Mexico based phone number, suggesting that Miranda would be sending someone to Los Angeles to pick up cocaine. Their telephone call was intercepted pursuant to a court order, and the following are pertinent portions of their call translated from Spanish into English:

Father: “Are you going to go?”

Miranda: “Yea I went yesterday.”

Father: “So?”

Miranda: “What happened was that the guy told me [pause] um... the guy told me that he already had them tried out and had been told they were not good for the slingshot.”

Miranda: “I don’t know what the deal, at the end I think that they will go for five tomorrow.”

Father: “Anyway?”

Miranda: “Well, he told that, that because it’s some money, that anything that we can get is good and who knows what...I’m going to send someone there.”

21. Based on the contents of the call, I believe that Miranda’s reference to the product “not being good for the slingshot” was a likely a reference to the quality of the product, in this case cocaine. I believe Miranda was telling his father that during Miranda’s trip to Santa Ana a few days prior to the call, Miranda had looked at the product and had been told the product was not good. I know based on my training and experience that powder cocaine is often converted to cocaine base, which is often sold in small, rock-like pieces referred to as “rocks.” I believe the reference to a “slingshot”, was a play on words to describe “rocks” or cocaine base. I am aware

based on my training and experience, that cocaine needs to be in a relatively purer form in order to “rock up” or convert from powdered cocaine into cocaine base without losing too much of its weight in the process. I believe despite the cocaine being of poorer quality, Miranda had been instructed to pick up “5” in order to generate some continued cash flow. Miranda also told his father that he was planning on sending someone to pick up the “5”.

22. Later that same day, the DEA intercepted a call between Miranda and Rojas, during which Rojas told Miranda that he planned to travel to Los Angeles in the early morning the following day. Based on the sequence of calls, investigators suspected Miranda would be sending Rojas to pick up the “5” in Los Angeles.

23. On April 9, 2020, investigators established surveillance of Rojas and followed Rojas to the same shopping center near Garden Grove, California, that Rojas previously visited on April 7, 2020. Agents saw Rojas meet with Supplier-1 and receive a large grocery bag from Supplier-1. After picking up the bag, Agents saw Rojas head northbound back towards Northern California. Investigators continued to follow Rojas northbound on Highway 101 until he was traffic stopped near Santa Maria, California, by the California Highway Patrol for a speeding violation.

24. Rojas gave officers consent to search his vehicle. During the search, Rojas attempted to flee from the scene but was apprehended. Officers found five plastic-wrapped brick shaped kilogram packs of suspected cocaine inside Rojas’s vehicle. This suspected cocaine was later tested by a DEA forensic lab and tested positive for the presence of cocaine. The five packs had a net weight of approximately 4,985 grams of cocaine.

25. Based on the totality of the circumstances, I believe that Rojas had been dispatched by Miranda to travel to Southern California to pick up approximately 5 kilograms of

cocaine from a cocaine supplier, Supplier-1. I believe that following the observed meeting in Santa Ana, California, Rojas attempted to transport the 5 kilograms of cocaine back to Northern California for later redistribution by Miranda, Perez, and other co-conspirators.

**Seizure of 997 Grams of Cocaine on June 14, 2020**

26. In June 2020, the DEA learned that Miranda was seeking once again to obtain a re-supply of cocaine.

27. On June 12, 2020, pursuant to a court order, the DEA began intercepting a series of conversations between Miranda using the telephone number (650) 758-8600 and the user of (209) 430-0962 (USER-0962), identified as one of Miranda's drug couriers. The following are pertinent portions of their conversations translated from Spanish into English:

Miranda: "The people said perhaps in the morning it would be needed."

USER-0962: "Early Tomorrow?"

Miranda: "Yes, if it happens, it would be around noon, so you can head out."

USER-0962: "oh, ok. So you will want me to go tomorrow?"

Miranda: "Well, let them notify me first."

[Follow up call later that night]

Miranda: "Can you come over here, and so you can head out around like at 7?"

USER-0962: "At 7 in the morning?"

Miranda: "But if you want to come right now so I can give you the, something."

28. Based on my knowledge of the investigation, I am aware that Miranda previously used USER-0962 as a drug courier to transport cocaine shipments from Southern California to Northern California. I believe, based on the call, that Miranda was asking USER-0962 to meet Miranda on June 12, 2020 so that Miranda could explain the details of the shipment with USER-0962 in person. I believe the “something” referenced in the call with USER-0962 was likely a portion of the money needed to pay for the cocaine obtained in Southern California. I believe that USER-0962 was being asked to travel to Southern California the following day at approximately 7:00 a.m.

29. Follow-up calls between Miranda and the user of the telephone number (209) 652-3395 (USER-3395) on the following day, June 13, 2020, indicated that a portion of the cocaine being picked up by USER-0962 was likely being distributed to USER-3395. The following are pertinent portions of their conversation translated from Spanish to English:

Miranda: “I’m telling you if you would, would you do the favor of delivering the receipt fool?”

USER-3395: “Well there, there at the same place no?”

Miranda: “What’s going in that it’s only my cousin there, fool. He’s just going to do me the favor of keeping them on hold for when you pick them up...and once you see them you can you can take them if you want. And then drop off the receipt there on the way.”

USER-3395: “Oh well however you want...But at 2, 8 and a half right?”

Miranda: “Why don’t you might as well take the three? . . . They sent me the pictures of everything, pops.”

USER-3395: “What’s going on is I don’t have money. I also, they have there over there...Right now I’m calling a guy over there . . . he has some of my money. He’s also over there in Los Angeles, dude.”

Miranda: “But you’re ready right now to head out right away right?”

USER-3395: “Yes, I am, I am also waiting for my buddy to call me. If it does happen we would head out.”

30. Based on the contents of the call, I believe that a portion of the shipment being picked up by Miranda's "cousin" USER-0962 was intended for USER-3395. It appeared that Miranda was offering 3 units of product at 28 and a half or \$28,500 to USER-3395. Based on the price discussed and my knowledge of Miranda's drug trafficking operation, I believe that Miranda was likely offering USER-3395 3 kilograms of cocaine at \$28,500 per kilogram.

31. Later that day at approximately 1:03 p.m., the DEA intercepted a follow-up call with Miranda's courier USER-0962. The following are pertinent portions of their call translated from Spanish into English:

Miranda: "Are you down there already old man?"

USER-0962: "I am already here, close by."

Miranda: "After you meet him, get yourself a little room...Yea because you will wait for, for a young guy there, so you can give him a "hand". And you can, and you then you can bring back the weekly. But he'll arrive, he'll arrive at 8...grab that for yourself, so you can rest. I will give you money for it later."

32. Based on the call, it appeared that USER-0962 had already traveled to Southern California in anticipation of the pre-arranged deal that Miranda had set up. It appeared that USER-0962 would be picking up 12 units of product total, a "hand" or 5 units for the "young guy" (possibly USER-3395), and a "weekly" or 7 units for Miranda. Based on the conversations, I believe that the units are in fact kilograms of cocaine.

33. Follow-up text messages intercepted later that day from USER-0962 suggested that the shipment was picked up successfully. At approximately 1:22 p.m., Miranda received an incoming text from USER-0962 stating "it is done, my man." USER-0962 also asked Miranda, "Do you know where I'm meeting the other worker, so I can get closer. I am over here by Santa Ana." Based on my knowledge of the investigation, I am aware that Miranda's suppliers appear

to be based in the vicinity of Santa Ana, California, based on the previous 5-kilogram cocaine seizure from the Miranda DTO in April 2020.

34. The DEA intercepted a follow-up call between Miranda and the male user of the phone number (209) 214-5322 (USER-5322) about a “runner” in Southern California at approximately 3:02 p.m. The following are pertinent portions of their call translated from Spanish into English:

Miranda: “Around at what time is your guys going to be over there?”

USER-5322: “He already, already left over there...he’s going to be over around...I think, I think I estimate more or less he will already be there in about 5 hours.”

Miranda: “About 5 so like around 8:00 then?”

USER-5322: “Like around 8:30 give or take.”

Miranda: “Oh alright then, let me have the guy wait around...because he is just waiting for him to head on back.”

35. At approximately 6:54 p.m., Miranda placed another call to USER-5322 inquiring about the status of USER-5322’s runner. Miranda asked USER-5322 to send the number for USER-5322’s runner so that Miranda’s courier (USER-0962) could coordinate a meeting.

36. This call was followed by a text message from USER-5322 to Miranda that read: “415-574-5995 for Pelonchas”. A follow up call between Miranda and USER-5322 occurred at approximately 7:25 p.m., confirming that the phone numbers between both couriers had been exchanged and that the “letters” or money had been delivered. The following are pertinent portions of the conversation translated from Spanish into English:

USER-5322: “Look, call the guy, he delivered the letter right now.”

Miranda: “Ok I just barely gave the guy the number to the other, to the other guy to call him. They’re going to call him right now.”

37. Based on the context of the call, I believe that part of the 12 kilograms being picked up by USER-0962 was being paid for by USER-5322 through his courier “Pelonchas,” who likely also delivered money on behalf of USER-5322 to Miranda’s supplier in Southern California.

38. The next morning, on June 14, 2020 at approximately 10:09 a.m., the DEA intercepted a call from USER-5322 to Miranda, requesting to exchange product because one or two of the units of product obtained had been of bad quality. The following are pertinent portions of their conversation translated from Spanish to English:

USER-5322: “Have they not called you from over there?”

Miranda: “No cousin, what’s up?”

USER-5322: “They told me to call you. It was already known that we were coming so that you could exchange those, I think. I don’t know if, I still haven’t checked too well there. I told my brother to take a good look and see if it was one or two. It had come out kind of ugly.”

Miranda: “Oh they haven’t called me. Let me ask around.”

39. Based on this call, I believe that USER-5322 had likely been communicating with Miranda’s supplier to coordinate an exchange of product because some of the product that had been picked up by his brother (possibly “USER-3395”) was of bad quality (i.e., “ugly”).

40. This conversation was continued during a later call between USER-5322 and Miranda, discussing the exchange further. The following are pertinent portions of their conversation translated from Spanish in to English:

Miranda: “They haven’t answered me...but there’s one left right there little cousin.”

USER-5322: “What you have there is just one?”

Miranda: “Uh huh, it’s only one what I have left over there.”

USER-5322: “It’s not the “X” one right?”

Miranda: “No.”

User-5322: “Oh that’s fine.”

41. Based on the call, I believe that Miranda was letting USER-5322 know that he had only one unit left available to exchange, and was offering it to USER-5322. I believe USER-5322 was inquiring if the leftover unit had an “X” marking on the brick, and agreed to take the leftover unit from Miranda after learning it was not branded with an “X” marking.

42. Following this call, USER-5322 placed a follow up call to Miranda asking about the marking on the product intended for exchange. The following are pertinent portions of their call translated from Spanish into English:

USER-5322: “Listen, uh do you know the brand of the car that is over there?”

Miranda: “Uh 1A”

USER-5322: “Oh its 1A. Does it have a small diamond in the middle?”

Miranda: “No, no it is only 1A”

43. Based on the call, I believe that USER-5322 was inquiring what marking or brand was on the product that Miranda was exchanging. Miranda told USER-5322 that the product was stamped with “1A”.

44. I am aware, based on my training and experience, that different suppliers and manufacturers of cocaine will stamp their insignias or emblems on their products as a sort of “trademark” or logo. I am aware that these types of emblems can range from vehicle insignias to letters or words depending on the manufacturer. Based on the context and the subsequent seizure of cocaine described below, I believe that Miranda and USER-5322 were likely discussing the exchange of a kilogram brick of cocaine.

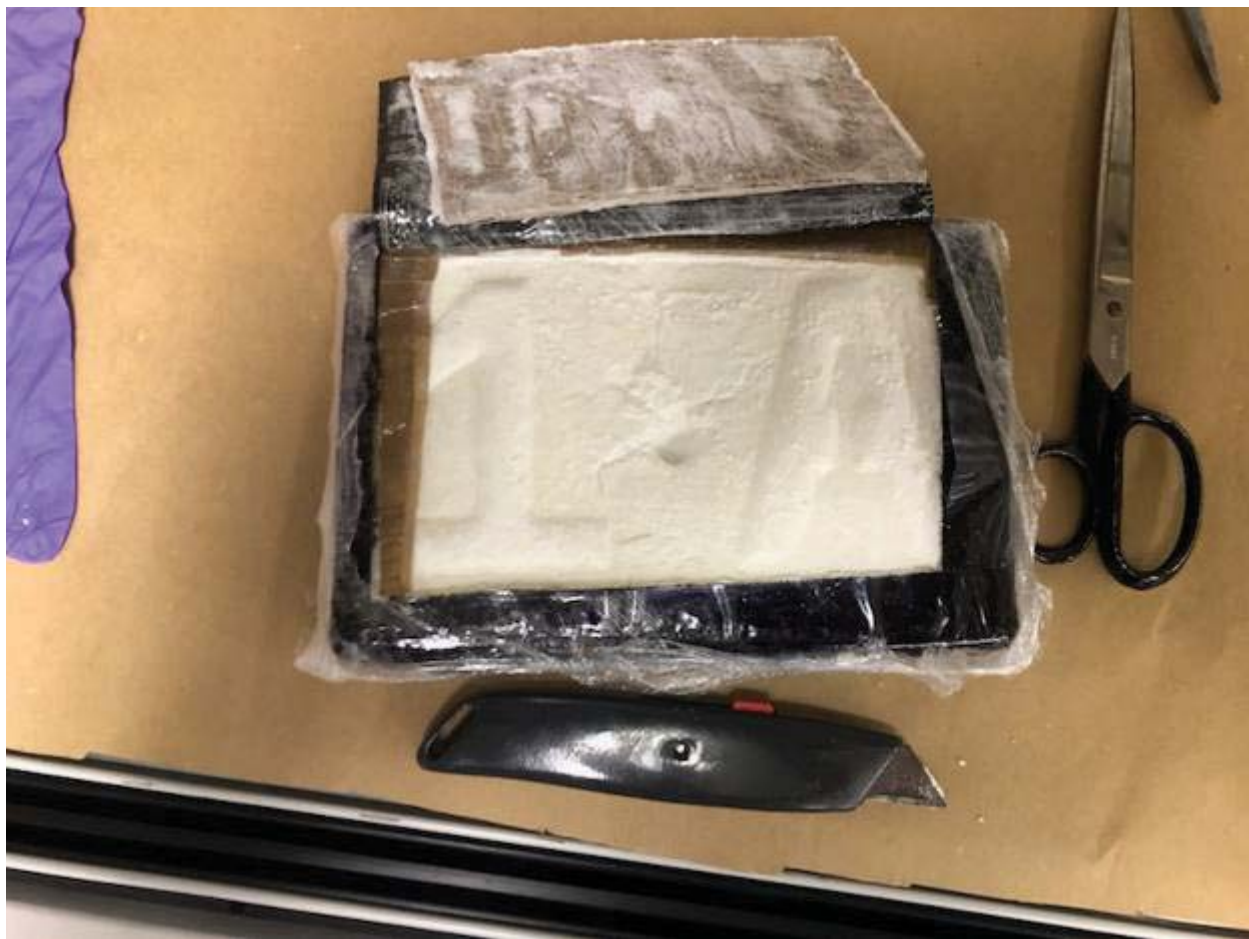


45. At approximately 4:43 p.m. on June 14, 2020, the DEA intercepted a text message from USER-5322 to Miranda informing him that he was 20 minutes away.

46. Based on the investigation, agents are aware that the Miranda's narcotics stash house was located at 207 Evandale Drive Apartment Unit 6, Mountain View, California, which is the subscriber address for phone number (206) 401-2466 used by Miranda. At that time, agents established surveillance in the vicinity of the Evandale address. At approximately 5:00 p.m., agents observed a tan Ford C-Max registered to USER-5322 arrive at the Evandale address. Shortly thereafter, a tan Infiniti left from the driveway of the Evandale complex, and traveled in tandem with USER-5322's vehicle, before stopping to meet in the vicinity of Leong Drive in Mountain View, California.

47. Following the suspected meet, agents continued to surveil USER-5322, and followed the tan Infiniti to Hayward, California, where Hayward Police stopped it for violations of the California Vehicle Code. During the traffic stop, police officers learned that USER-5322 was driving without a license. USER-5322 was placed under arrest.

48. A later search of the USER-5322's tan Infiniti led to the seizure of approximately 1 kilogram of cocaine. This seized kilogram brick was later tested by a DEA forensic laboratory, and found to test positive for the presence of cocaine with a net weight of approximately 997 grams. Investigators also determined the seized brick had a stamped imprint in the shape of the text "1A" on the face of the brick (See Figure 1). USER-5322 provided the phone number (209) 214-5322 (intercepted during communications with Miranda) to the arresting officers.



*Figure 1. Seized Cocaine with Text "1A"*

49. Based on the totality of the circumstances surrounding the 1 kilogram cocaine seizure and the intercepted calls leading up to the seizure, I believe that on or about June 13, 2020, Miranda had sent a drug courier, USER-0962, to Southern California to obtain approximately 12 kilograms of cocaine; 7 of which were for Miranda himself, and 5 of which were for USER-5322. I believe that following the re-supply, Miranda and his associates such as Gelacio Perez-Rojas began distributing the cocaine shipment to other resellers in the Northern California Bay area once USER-0962 brought the cocaine back to Mountain View, California.

50. Based on calls between Miranda and USER-5322, it appears that by mid-day on June 14, 2020, six out of the seven kilograms Miranda had obtained had likely already been sold, based on Miranda's assertion to Chaves that he only had one kilogram left.

**Perez's Role in the Drug Conspiracy**

51. I am aware that Miranda's associate Perez had attempted to re-sell some of the cocaine following the re-supply based on calls intercepted over court-authorized wiretaps of Perez's telephones. For example, on June 14, 2020, Perez using the telephone number 408-912-4687 had the following text exchange with a customer, the user of the phone number (650) 208-9443 (USER-9443) that has been translated from Spanish into English:

Perez: "What is going on, there is something in case you're interested."

USER-9443: "Is it something different?"

Perez: "Yes it is different. I have a corner if you need it."

52. Based on the text exchange, it appeared that Perez was offering USER-9443 a "corner", which is common slang for a quarter, in this case a quarter of a kilogram of cocaine. This is evident based on a later intercepted call on June 14, 2020, to another one of Perez's customers, "Meno," the user of the telephone number (408) 770-6652. The following are pertinent portions of their call translated from Spanish into English:

Perez: "There is a little corner in case you're interested."

Meno: "How much?"

Perez: "I get it for 8, 8 dude."

Meno: "8 thousand 8 hundred?"

Perez: "Yea."

53. Based on the contents of the call, I believe that the “corner” was likely referring to a quarter-kilogram of cocaine based on the price quoted at \$8,800 for the “corner”. I am aware that Miranda was selling whole kilograms at approximately \$28,500 and \$8,800 would be representative of the pricing scheme for smaller portions of the kilogram brick, as compared to wholesale prices.

54. I am aware that, in addition to these customers, Perez also attempted to contact several other customers that day, inquiring if any of his customers wanted a “corner” or any portion of the shipment that had arrived the previous day. I believe, based on these calls, that Perez is intricately tied to Miranda’s cocaine trafficking operation, and was part of the June 2020 cocaine trafficking conspiracy as Miranda’s business partner and distributor.

**Cocaine Trafficking Conspiracy with Leonel Cisneros-Sosa and Uriel Soto  
and Seizure of 291 Grams of Cocaine on April 1, 2020**

55. During the course of the wiretap, agents also learned about two of the Miranda DTO’s distributors: Uriel Soto and Leonel Cisneros-Sosa a/k/a “La Jaiba.” Agents were able to confirm their involvement in the drug distribution conspiracy based on wiretap communications intercepted in March 2020 and April 2020, leading to the seizure of approximately 291 grams of cocaine.

56. On March 29, 2020, pursuant to a court order, the DEA intercepted communications between the user of telephone number 650-850-9282, Leonel Cisneros-Sosa (hereafter “Cisneros”), and Miranda over the telephone number 650-313-4840, during which Cisneros told Miranda in sum and substance that Cisneros had been contacted by a third-party customer requesting a “*recamara*”, a play on words in the Spanish language to refer to a “quarter.” Cisneros asked Miranda if he was interested in helping Cisneros supply the third-party customer, and Miranda and Cisneros agreed to discuss the transaction further in person.

57. Agents believe further negotiations likely occurred in person, based on an intercepted call between Cisneros and Miranda on March 30, 2020, when Cisneros called Miranda to ask him why Miranda had left because Cisneros was supposed to give Miranda “paper” or money. The two agreed to discuss the matter further the following day.

58. On April 1, 2020, agents learned more about this transaction from an intercepted call between Cisneros and Miranda discussing the exchange. The following are pertinent portions of their conversation translated from Spanish into English:

Cisneros: “Hey is the one they gave you back complete?”

Miranda: “uh...mostly.”

Cisneros: “one piece of two, well two pieces that don’t look...that have not dirt on them dude.”

Miranda: “I have not picked it up, give him a sample of what you’ve got.”

Cisneros: “No, I need to give him that thing and tell him, he just gets it out like that. He doesn’t work with it he just gets it out...7, 8 he gets it out clean.”

Miranda: “Let me call this guy right now to pick it up.”

Cisneros: “Alright then, ask him so I can tell this guy so, so when you have it let me know you have to pick it up anyways right?”

59. Following this call with Cisneros, Miranda sent a text message to the user of telephone number 650-313-1404, later identified as Uriel Soto, asking in English, “Bro can I go right now?” Soto replied to Miranda telling him “Yup, come to the front door...778 El Camino Real.” Soto told Miranda that “it’s on the steps I put your \$ we’re even.”

60. Soto later informed Miranda that he was leaving the product for Miranda “on the steps” because he wanted to avoid in-person contact with Miranda. Soto sent Miranda the text: “I am sick, bro. I got COVID 19.”

61. Based on the chain of communications between Miranda, Cisneros and Soto, agents learned that Cisneros was likely trying to obtain the product that Soto was returning to Miranda. Based on the text messages, agents believed that Soto was planning to leave the product in a stairwell on public property at 778 El Camino Real, San Carlos, California because he had previously been infected with COVID-19. Agents conducting surveillance were able to find and seize the drugs in the stairwell and later determined the product to be approximately 291 grams of cocaine.<sup>1</sup> Agents continued to conduct surveillance, and observed Miranda arrive at 778 El Camino Real, San Carlos, California, later on, looking for the product that Soto had left in the stairwell.

62. Upon Miranda's discovery that the product was missing, Miranda called Soto to inquire where the product was. The following are pertinent portions of their conversation in English:

Soto: "What's up bro?"

Miranda: "Well I'm here by the kitchen bro."

Soto: "It's down on the steps."

Miranda: "On the steps?"

Soto: "The black door."

Miranda: "There's nothing bro."

63. Miranda then promptly called Cisneros to inform him that the product was missing and the deal would not be happening. The following are pertinent portions of their conversation translated from Spanish into English:

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<sup>1</sup> The seized cocaine was later tested by a DEA forensic laboratory and determined to test positive for the presence of cocaine with a net weight of 291 grams.

Miranda: “We are fucked.”

Cisneros: “Did you lose it already?”

Miranda: “No, they got them out dude, they just got stolen.”

Cisneros: “Oh from him?”

Miranda: “He left them there for me, he left them there for me dude. He has that shit, he is infected and he left that there for me on the some stairs dude and some offices...I just arrived and they are not here.”

Miranda: “He left me almost 11, almost 11 little girls, and one thousand five hundred.”

64. Based on the contents of the call between Miranda and Cisneros discussing the “11 girls,” I believe that Miranda was informing Cisneros that the 11 ounces or approximately 291 grams of cocaine that Miranda was attempting to retrieve from Soto had been stolen and that the previously discussed deal involving Cisneros’s third-party customer was likely not going to happen.

65. Miranda also called Perez afterwards to inform him about the “stolen product” in a follow up call that same day. The following are pertinent portions of their call translated from Spanish into English:

Miranda: “He left me...he left me the quarter right there on the stairs so I would not see him because he has that shit...”

Perez: “Uh-huh”

Miranda: “And I don’t know, it was stolen man.”

Perez: “Shut-up.”

Miranda: “Can you believe that shit?”

Perez: “Son of a bitch. Fuck that...No fucking way in which stairs, the one where he is at or which one?”

Miranda: “Where he is at dude.”

[Portions skipped]

Miranda: “Yea dude, Jaiba’s dumbass wanted to...he wanted a guy to see it remember? . . . that is why I went to go pick it up, but this guy had that shit...”

66. Based on my knowledge of the investigation, I believe based on the contents of the call that Miranda was informing Perez about the details surrounding the “stolen products.” I believe the “La Jaiba” referenced in the call was referring to Cisneros, one of Perez and Miranda’s associates who wanted the returned product from Soto. I believe that Miranda informs Perez about aspects of his drug trafficking operation because the two are joint business partners, and the reference to a previous discussion regarding La Jaiba likely indicates that Perez was aware of the attempted transaction between Miranda, Soto, and Cisneros.

### **CONCLUSION**

67. On the basis of my participation in this investigation and the information summarized above there is probable cause to believe that the following individuals have violated 21 U.S.C. § 846 (conspiracy to possess with intent to distribute cocaine in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(ii)), and I request that the Court issue a criminal complaint charging each of these individuals with violating Title 21, United States Code, section 846:

Francisco Ricardo Miranda

Jesus Alberto Rojas-Vega

Gelacio Perez-Rojas

Uriel Soto

Leonel Cisneros-Sosa

68. Because this investigation is continuing, disclosure of the complaint, this affidavit, and/or this application and the attachments thereto will jeopardize the progress of the



investigation and potentially endanger the agents and confidential sources working on the investigation. It may also cause the defendants to flee and/or destroy evidence of their crimes. Accordingly, I request that the Court seal the application, this affidavit, the complaint and the supporting papers, except that the Clerk of the Court be directed to provide copies of these documents to the United States Attorney's Office and/or the Drug Enforcement Administration for use in connection with this case.

I declare under penalty of perjury that the above is true and correct to the best of my knowledge.

/s/

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KEVIN Y. LI  
Special Agent  
Drug Enforcement Administration

*Sworn to before me over the telephone and signed by me pursuant to Fed. R. Crim. P 4.1 and 4(d) on this <sup>13th</sup> day of November, 2020.*



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HON. JACQUELINE SCOTT CORLEY  
United States Magistrate Judge